

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, et al.,

Plaintiffs,

v.

BRAD RAFFENSPERGER, et al.,

Defendants.

**CIVIL ACTION FILE NO.:
1:17-cv-2989-AT**

DECLARATION OF B. JOY WASSON

B. JOY WASSON hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I have personal knowledge of the facts stated in this declaration, and if called to testify, I could and would testify competently thereto.

2. I am a registered Georgia voter residing in the City of Atlanta, DeKalb County's Commission District 2. I typically vote in all elections I'm eligible to participate in and intend to continue doing so.

3. I am a very active member of Coalition for Good Governance ("CGG") and am in daily contact with other active members on a range of national and Georgia election administration and security topics.

4. Recently I was asked to do some research after the Defendants submitted this statement (SMF23): “In 2020, BMDs that print barcodes were used in six of the ten largest counties in the country, including Los Angeles, California; Cook County/City of Chicago; Maricopa, Arizona; San Diego, California; Dallas, Texas; and Riverside, California. Of those six counties, five are using the Dominion BMD. Declaration of Dr. E. Coomer, Ex. No. (4) at ¶5)”

5. The statement implied that BMDs were the primary method of voting, but my research of official government election websites and Verified Voting’s website showed that hand marked paper ballots (including both in person and vote-by-mail ballots) were the primary method of voting in all but one of those counties in 2020. I have attached my research worksheet as Exhibit 1.

6. Exhibit 2 is a true and correct copy of voting system maps from Verified Voting showing the November 2020 election day voting methods in the six counties that Dr. Coomer referred to. Two of the counties used Dominion BMDs only for accessibility and two for all in person voters. Los Angeles County used the Voting Solutions for All People (VSAP) BMD and Dallas County, TX, used ES&S equipment.

7. I have made it a habit to vote by absentee ballot if at all possible so that I am using a more secure hand marked paper ballot. However, voting by

absentee ballot can be a fraught process, as I previously discussed in my declaration filed 2/12/2021 (Doc. 1071-7).

8. The U.S. mail has become more unreliable in my residential area and in order to assure timely and secure delivery of my application and my ballot, I generally drop them off at the DeKalb election office in person. This involves two round trips of 8 miles each way and usually about 40 minutes to an hour for the round trip. This additional cost of time and money to secure my ballot is considerable when compared to the convenience and speed with which I can vote in-person at my precinct which is less than a mile and a half from my home.

9. As required by SB202, the absentee ballot application and ballot both contain personally identifiable information, including full birthdate and driver's license number. The new envelope for return of a ballot does not seal completely, potentially exposing this sensitive information. I do not want to be the victim of identity theft so I go to the extra effort of hand delivering my application and ballot. The last time I returned my ballot in person, the helpful election staffer used tape to seal it for me.

10. The exposure of this personally identifying information on absentee ballot envelopes along with the cumbersome multi-step process of applying for,

voting and submitting mail ballots are all additional difficulties I have been willing to tolerate to avoid voting on the insecure BMD system.

11. In every election I monitor the progress of my application and my ballot processing to watch for any delays or problems so that I'm sure that I can cast a ballot. This means that I check the MVP site on the Secretary of State's website multiple times in each election, given the risk of error and delay that is known to occur in mail ballot processes.

12. For example, although I was on the 65+ voter "rollover list," meaning my absentee request was already in the system prior to any ballots being sent, my absentee ballot failed to arrive for the December 6, 2022 Senate Run Off. On November 21, 2022 I received an email from DeKalb County Elections, replying to my inquiry, saying that my ballot was being mailed that day. The same day, I received a BallotTrax email also saying that my ballot was on its way. I checked my mailbox for nine days but received no ballot. On December 1, 2022, I sent an email to DeKalb Elections asking for more information about where the ballot had been mailed from, saying I had not yet received it. I received no reply, nor my ballot, and I had to vote on a ballot marking device on Election Day, December 6, 2022, having cancelled my ballot at the polls for nonreceipt.

13. When I had to cancel my purportedly issued but not received mail ballot for non-receipt, I was relieved to learn that no one had attempted to vote my ballot which had gone astray. The risk of a stolen and voted ballot is higher than in years before because of SB202's removal of signature verification, and instead, requiring the voter's full birthdate and driver's license number on the envelope. This could permit anyone with my driver's license number and birthdate to successfully return my ballot if it had gone astray.

14. After learning that Logan Lamb discovered that the SOS/KSU server had exposed all voters' drivers' license numbers, birthdates and other personal information on the internet for over 7 months (Doc. 258-1 ¶¶ 11-16), I became aware that my personal data along with 5 million other voters had been compromised. This subjects me to risk of identity theft and mail ballot theft. This is yet another risk of voting by mail ballot in Georgia. It is a risk I evaluate as a more personally manageable than the risk of BMD voting system manipulation or failure.

15. I spent scores of hours assisting in litigation research efforts for the background of the Coffee County breach discovery as one of my volunteer efforts for CGG in its challenge of the BMD system. I am familiar with the breach activities and the experts' opinions on the elevated risk to the entire statewide

system, particularly for the unauditable BMD portion of the system used in in-person voting. What I have learned makes my decision to continue to vote by mail ballot even more compelling.

16. I enjoyed the shared experience of voting in my community—seeing other voters, getting my “I voted” sticker to wear, and showing it on social media to remind others to go to the polls. In most elections I give up the social and associational benefits of voting in person because of my knowledge that my vote is more secure and private on an absentee ballot.

17. When I did vote by BMD on December 6, 2022, the poll worker did not remind me to check my printout selections.

18. Similarly when I had to vote in person in the December 1, 2020 run off election, the poll worker did not remind me to check my printout selections.

19. This past election in 2022, I checked my single contest machine printed ballot. However, I knew that it was the QR code, not the printed text, that would be tabulated. It is a frustration to cast a vote that I cannot read because it is encoded in the QR code.

20. As Georgia’s new Dominion voting system was being rolled out, I went to several demonstrations of the equipment. At one demonstration I videotaped someone making selections on the BMD touchscreen. It was very easy

to see the darkened bar on the bright screen from a distance as the voter made her selection and the selected bar associated with the vote choice darkened. My personal observation in polling places is that it can be very easy to read the words on the touchscreen from a distance. However, one can discern from an even greater distance which position on the touchscreen ballot display the voter selects because the entire bar is highlighted. Once an observer is familiar with the ballot display layout, it is simple to discern from a distance how someone is voting. Exhibit 3 is a set of still shot photographs from my video.

21. It is my understanding from attending the rule-making session of the SEB and reading the rules, that the official vote on my absentee mail ballot is the choice adjacent to the oval which I have filled in. That is clear, and I know that is the permanent record of my vote to be counted in machine and manual tabulations.

22. I have assisted a number of voters with questions or problems with absentee ballots through my volunteer work with Coalition for Good Governance. In Georgia's last election cycle I spent time helping an older DeKalb voter who reached out to CGG for assistance. The voter was out of state and hadn't received her absentee ballot for the November 2022 General Election. She and I jointly spoke on the phone with helpful staff at DeKalb elections, who apparently mailed a replacement ballot, but it was not received by the voter. I helped her again for the

December 2022 Run Off for which she was still out of state. This is the kind of voter assistance work that CGG would like to do more of, but does not have the resources to do so because of the work required for the challenge to the BMD system.

23. If not for all the time spent assisting with litigation, I would enjoy doing more direct assistance to voters and work on voter education. CGG Executive Director Marilyn Marks has asked me to track my volunteer hours but I have not been good about doing it, particularly since my time is my own and I fit in the work whenever I can. I estimate I have spent many hundreds of hours, probably more than 30 hours per month, primarily researching and gathering evidence for the Curling case.

24. As a member and volunteer of CGG, I have searched through discovery documents to provide information to attorneys, assisted with research on the Coffee County breach, and brainstormed with fellow CGG volunteers. I have observed elections and audits, I have attended or remotely monitored and recorded State Election Board meetings, press conferences, county board of elections meetings, made public comments on the lack of ballot secrecy with voting touchscreens, and other litigation-related issues. I have spent hours searching

election meeting transcripts, and listening to and cleaning up transcripts related to topics covered by the litigation or other challenges to the BMD system.

25. In my declaration Doc. 1569-44 at 83-84 I related some of my experiences observing at the Fulton County risk limiting audit on November 17, 2022. My experience was that access to observe data entry into the Arlo system was not possible at the Fulton RLA. This is consistent with November 22, 2022 Carter Center preliminary report, which found that, in about half the counties, “it appeared that little thought was given to the role of transparency of data entry in building confidence in the process.”

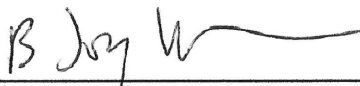
(https://www.cartercenter.org/resources/pdfs/news/peace_publications/democracy/risk-limiting-audit-preliminary-statement-2022.pdf)(page 4). The Carter Center report goes on to state on page 4, “Data entry should be clearly visible to monitors so they can confirm that tally sheets are accurately entered. Human data entry of numbers is notoriously error-prone, and all data entry should be observed as well as checked by a second election worker.”

26. All these hours of activity in support of litigation efforts are hours I could have spent working on other CGG projects we have discussed such as holding webinars for candidates or working on policy issues with legislators and others, but CGG has had to put plans on hold to prioritize the litigation.

27. Ranked choice voting has become a major topic of discussion in Georgia, with new legislation introduced, but we have not had adequate time to devote to research and discussion of it because of this litigation, although it is an important topic on which CGG could bring significant value and knowledge.

28. Exhibit 4 contains screen shots of the original results and the recount results for the November 3, 2020 presidential election from the Georgia Secretary of State's website. The number of total votes decreased in the recount based on this information.

Executed on this date, February 9, 2023



B. Joy Wasson

EXHIBIT 1

Percentage Hand Marked Paper Ballots November 2020

To conservatively estimate % of disabled voters who may have used BMDs in cases where BMDs are only used for accessibility, I used 13% which is percentage of voters who are disabled.
 ABOUT 13% of voters have disabilities per p3 of EAC fact sheet accessed at
https://www.eac.gov/sites/default/files/document_library/files/Fact_sheet_on_disability_and_voter_turnout_in_2020_0.

Jurisdiction	total of all ballots	# BMD ballots	total HMPB	% HMPB	source links
LA County (CA)	4,338,191	21.06% in person	VBM 3,424,426	> 78.94%	https://results.lavote.gov/#year=2020&election=4193
Cook County (IL)	1,188,017	est. 94,605	est. 1,093,412	> 98%	https://www.cookcountyclerk.gov/sites/default/files/pdfs/Post-Election%20Report%20%20-%20%20110320.pdf
Maricopa County (AZ)	2,089,563	est. less than 13% of in-person voters	est.	> 87%	https://elections.maricopa.gov/asset/jcr:f0e64083-5801-4077-8675-07a8ba475c43/11-03-2020-0%20Canvass%20COMPLETE%20NOV2020.pdf https://www.azmirror.com/blog/arizonas-polling-infrastructure-is-all-paper-ballots-even-for-those-with-disabilities/
San Diego County (CA)	1,627,753	189,593	1438160 (VBM)	> 88%	https://www.livevoteturnout.com/SanDiego/LiveResults/en/Index_10.html
Dallas County (TX)	926,518	847,558 = 118,670 ED + 728,888 early in-person. (most in person voters use new ES&S BMD)	VBM 78,147; 813 provisional	< 8.5%	https://assets01.aws.connect.clarityelections.com/Assets/Connect/RootPublish/dallas-tx.connect.clarityelections.com/ElectionDocuments/2020/201103%20General%20Joint/Dallas%20County%20Final%20Canvass%20Cum%20WOverUnder%20Total.pdf
Riverside County (CA)	1,016,896	109,028	907,868 (VBM)	> 89.28%	download VBM data at https://www.sos.ca.gov/elections/voter-registration/vote-mail/vbm-nov2020-general-election#hist

EXHIBIT 2

https://verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/state/6/county/37

verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/...

National Map State Map California Los Angeles County

Jump to state or jurisdiction

Los Angeles County

REGISTERED VOTERS (10/2022) 7,122,542 PRECINCTS (11/2018) 3,383

Recorder/County Clerk
Dean Logan

Election Day Equipment

- Hand marked paper ballots and BMDs
- Hand marked paper ballots and DREs with VVPAT
- Hand marked paper ballots and DREs without VVPAT
- Ballot Marking Devices for all voters
- Hybrid BMD/Tabulator for all voters
- DREs with VVPAT for all voters
- DREs without VVPAT for all voters

EXCEL | CSV | JSON

Election Day Equipment

Marking Method: All Mail Ballot Jurisdiction, Election Day Vote Centers: Ballot Marking Devices for all voters

Tabulation: Optical Scan

Type of Equipment	Make	Model	VVPAT	Accessible Use
Batch-Fed Optical Scanner	Los Angeles County	VSAP Tally	N/A	No
Ballot Marking Device	Los Angeles County	VSAP BMD	N/A	Yes
Electronic Poll Book	KNOWINK	Poll Pad	N/A	N/A

https://verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/state/17/county/31

verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/...

National Map State Map Illinois Cook County

Jump to state or jurisdiction

Cook County

REGISTERED VOTERS (10/2022) 1,732,605 PRECINCTS (11/2018) 1,599

County Clerk
Karen Yarbrough

Election Day Equipment

- Hand marked paper ballots and BMDs
- Hand marked paper ballots and DREs with VVPAT
- Hand marked paper ballots and DREs without VVPAT
- Ballot Marking Devices for all voters
- Hybrid BMD/Tabulator for all voters
- DREs with VVPAT for all voters
- DREs without VVPAT for all voters

EXCEL | CSV | JSON

Election Day Equipment
Marking Method: Hand marked paper ballots and BMDs
Tabulation: Optical Scan

Type of Equipment	Make	Model	VVPAT	Accessible Use
Hand-Fed Optical Scanner	Dominion	ImageCast Precinct	N/A	No
Ballot Marking Device	Dominion	ImageCast X BMD	N/A	Yes
Electronic Poll Book	Votec	VoteSafe	N/A	N/A

https://verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/state/4/county/13

verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/...

National Map State Map Arizona Maricopa County

Jump to state or jurisdiction

Maricopa County

REGISTERED VOTERS (11/2022) 2,863,040 PRECINCTS (11/2018) 748

Director of Election Services
Rey Valenzuela

Election Day Equipment

- Hand marked paper ballots and BMDs
- Hand marked paper ballots and DREs with VVPAT
- Hand marked paper ballots and DREs without VVPAT
- Ballot Marking Devices for all voters
- Hybrid BMD/Tabulator for all voters
- DREs with VVPAT for all voters
- DREs without VVPAT for all voters

EXCEL | CSV | JSON

Election Day Equipment

Marking Method: Vote Center Jurisdiction, Hand marked paper ballots and BMDs

Tabulation: Optical Scan

Type of Equipment	Make	Model	VVPAT	Accessible Use
Hand-Fed Optical Scanner	Dominion	ImageCast Precinct	N/A	No
Ballot Marking Device	Dominion	ImageCast X BMD	N/A	Yes
Electronic Poll Book	Robis	AskED ePollbook	N/A	N/A

https://verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/state/6/county/73

verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/...

National Map State Map California San Diego County

Jump to state or jurisdiction

San Diego County

REGISTERED VOTERS (10/2020) 2,437,272 PRECINCTS (11/2018) 1,414

Registrar of Voters
L. Michael Vu

Election Day Equipment

- Hand marked paper ballots and BMDs
- Hand marked paper ballots and DREs with VVPAT
- Hand marked paper ballots and DREs without VVPAT
- Ballot Marking Devices for all voters
- Hybrid BMD/Tabulator for all voters
- DREs with VVPAT for all voters
- DREs without VVPAT for all voters

EXCEL | CSV | JSON

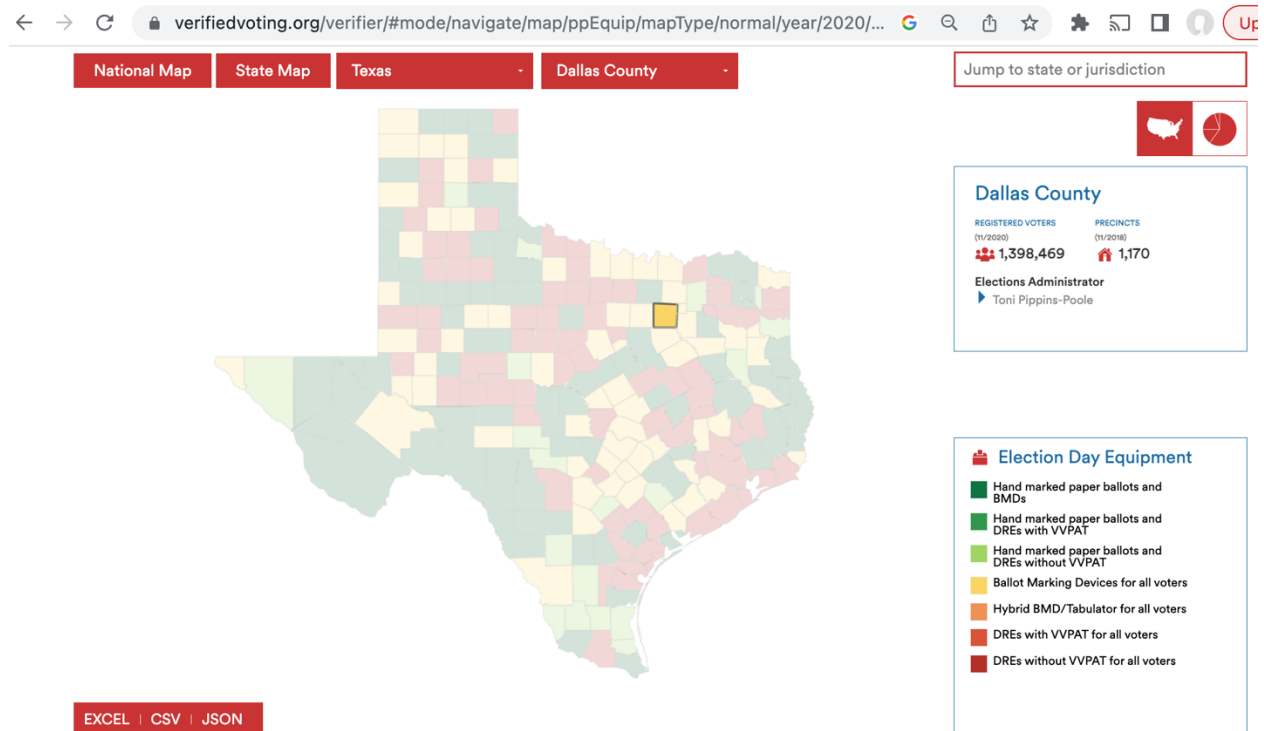
Election Day Equipment

Marking Method: All Mail Ballot Jurisdiction, Election Day Vote Centers: Ballot Marking Devices for all voters

Tabulation: Optical Scan

Type of Equipment	Make	Model	VVPAT	Accessible Use
Batch-Fed Optical Scanner	Dominion	ImageCast Central	N/A	No
Ballot Marking Device	Dominion	ImageCast X BMD	N/A	Yes
Electronic Poll Book	Tenex	Precinct Central	N/A	N/A

https://verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/state/48/county/113



Election Day Equipment

Marking Method: Vote Center Jurisdiction, Ballot Marking Devices for all voters

Tabulation: Optical Scan

Type of Equipment	Make	Model	VVPAT	Accessible Use
Hand-Fed Optical Scanner	ES&S	DS200	N/A	No
Ballot Marking Device	ES&S	ExpressVote	N/A	Yes
Electronic Poll Book	ES&S	ExpressPoll	N/A	N/A

https://verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/state/6/county/65

verifiedvoting.org/verifier/#mode/navigate/map/ppEquip/mapType/normal/year/2020/...

National Map State Map California - Riverside County -

Jump to state or jurisdiction

Riverside County

REGISTERED VOTERS (10/2020) 1,463,308 PRECINCTS (11/2018) 864

Registrar of Voters
▶ Rebecca Spencer

Election Day Equipment

- Hand marked paper ballots and BMDs
- Hand marked paper ballots and DREs with VVPAT
- Hand marked paper ballots and DREs without VVPAT
- Ballot Marking Devices for all voters
- Hybrid BMD/Tabulator for all voters
- DREs with VVPAT for all voters
- DREs without VVPAT for all voters

EXCEL | CSV | JSON

Election Day Equipment

Marking Method: All Mail Ballot Jurisdiction, Election Day Vote Centers: Ballot Marking Devices for all voters

Tabulation: Optical Scan

Type of Equipment	Make	Model	VVPAT	Accessible Use
Batch-Fed Optical Scanner	Dominion	ImageCast Central	N/A	No
Ballot Marking Device	Dominion	ImageCast X BMD	N/A	Yes
Electronic Poll Book	DFM	EIMS	N/A	N/A

EXHIBIT 3

Exhibit 3

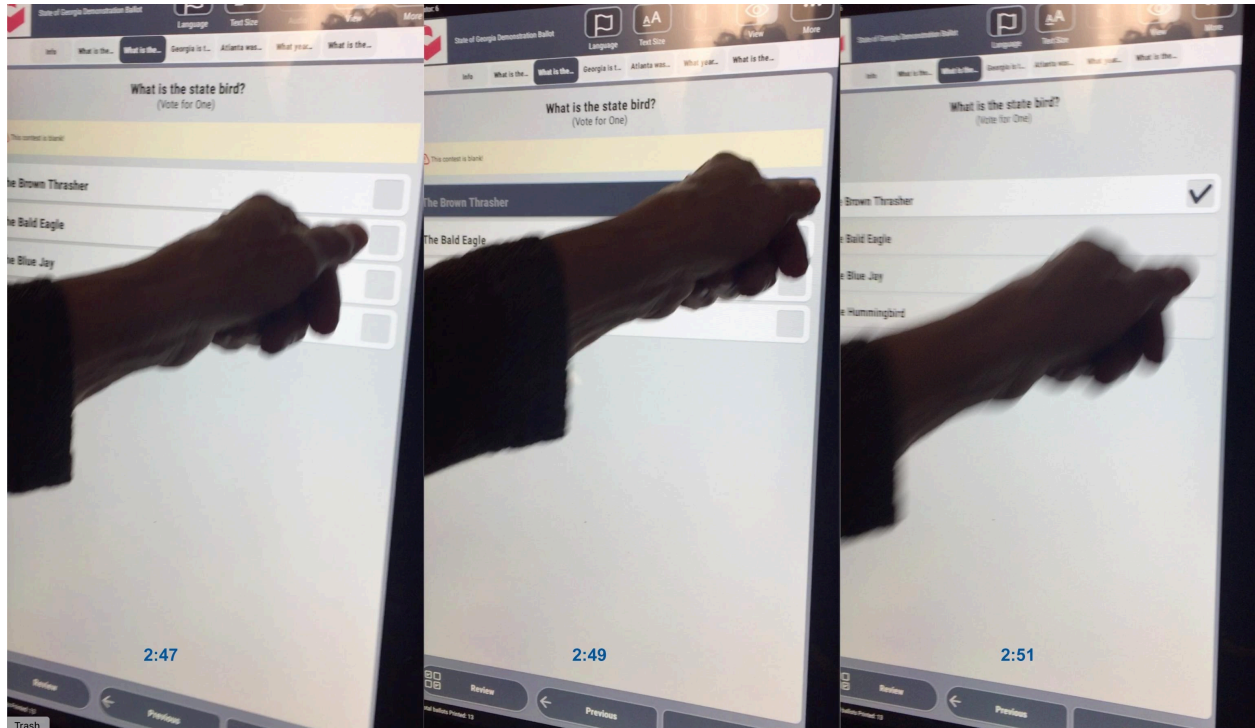
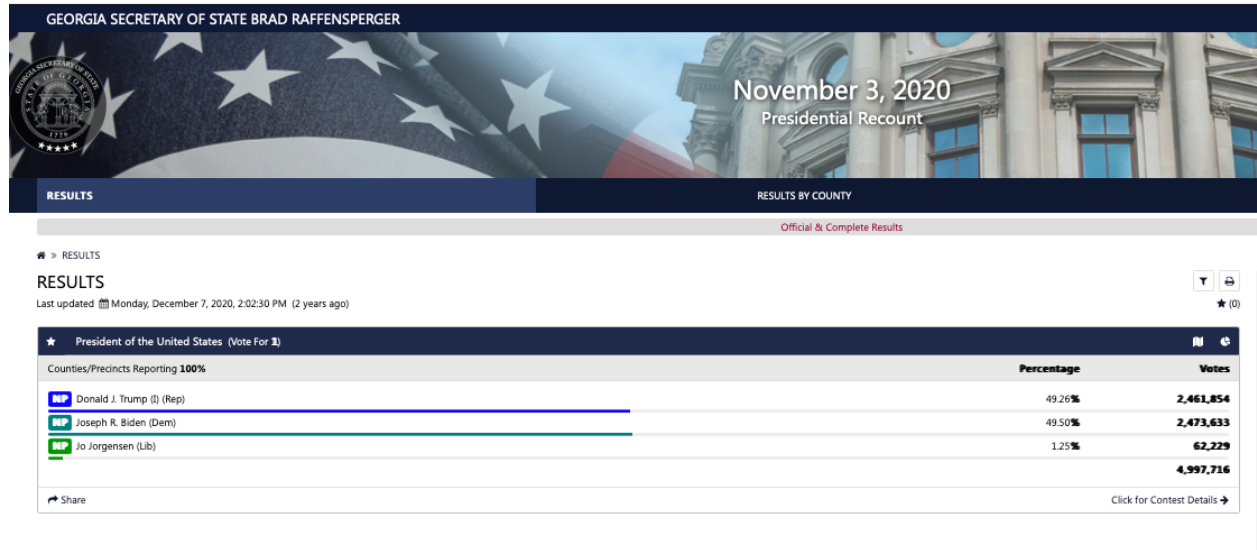
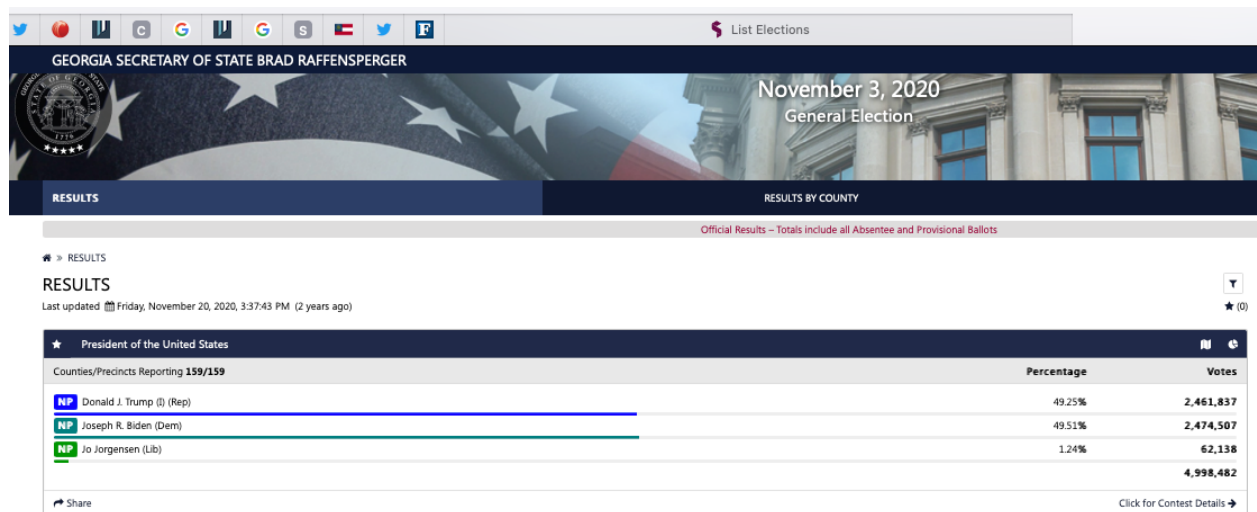


EXHIBIT 4

Screenshots of November 3, 2020 Presidential Election Original Vote Count and Recount
Sec. of State' Election Results Website as of February 8, 2023



<https://results.enr.clarityelections.com/GA/107231/web.264614/#/summary>



<https://results.enr.clarityelections.com/GA/105369/web.264614/#/summary>